

(34)  
6/18/02  
mmt

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**JEROME SMITH,**

Plaintiff

v.

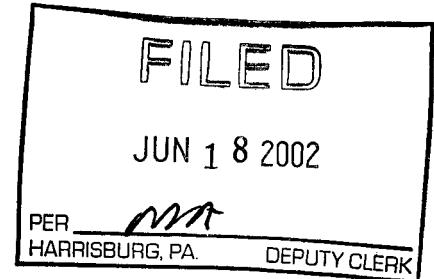
**TROY LEVI; DR. BIGLETE;  
P.A. BELL; TERRI RAMOS;  
and JOHN CHUNG,**

Defendants

**CIVIL NO. 1:CV-01-1192**

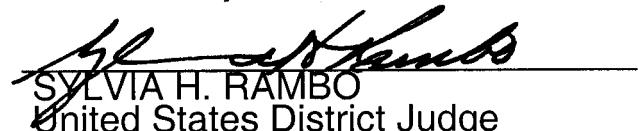
**(Judge Rambo)  
(Magistrate Judge Smyser)**

**ORDER**



Before the court is the May 15, 2002, report and recommendation of the magistrate judge to which no objections have been filed.<sup>1</sup> Upon consideration of the record before the court, **IT IS HEREBY ORDERED THAT:**

- 1) The court adopts the report and recommendation of Magistrate Judge Smyser.
- 2) Defendants' motion to dismiss is GRANTED for failure of Plaintiff to exhaust administrative remedies.
- 3) The Clerk of Court shall close the file.
- 4) It is certified that any appeal from this order will be deemed frivolous and not taken in good faith.

  
SYLVIA H. RAMBO  
United States District Judge

Dated: June 18, 2002.

<sup>1</sup> Objections were due no later than June 3, 2002.